



**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

ACTION AGENDA

Hickory City Council
76 North Center Street

March 1, 2022
7:00 p.m.

- I. Call to Order
- II. Invocation by Mayor Guess
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
 - A. Mr. Bruce Tretter - Presentation Regarding the Hickory Safe Streets Coalition.

Mr. Bruce Tretter, 21 2nd Street NW, Hickory, discussed the Hickory Safe Streets Coalition. The Coalition's objective was to engage motorist, pedestrians, cyclists, and City and State officials to improve Hickory road safety and access.
 - B. Mr. Chris Simmons, 1046 6th Avenue Drive NW, Hickory, discussed the collapse of the City Walk arches.
- VI. Approval of Minutes
 - A. Regular Meeting of February 15, 2022. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
 - A2** A. Budget Revision Number 14. **(First Reading Vote: Unanimous)**
 - A2** B. Consideration of Rezoning Petition Number 21-07 for 13.384 Acres of Property Located on Sulphur Springs Road between 47th Avenue Place NE and 48th Avenue Lane NE from Catawba County R-20 to Planned Development (PD). **(First Reading Vote: Unanimous)**
 - A2** C. Consideration of Rezoning Petition Number 22-01 for 55.49 Acres of Property Located on Spencer Road between 30th Street Court NE and 31st Street Court NE from Hickory R-1 Catawba County R-20 to Hickory R-2 Residential. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
 - A** A. Approval of a Microenterprise Grant Agreement with Marlee Horton, Salon Owner, in the Amount of \$4,000. **(Exhibit VIII.A.)**

In its 2020-2024 Consolidated Plan for Housing and Community Development, the City of Hickory identified increasing entrepreneurship opportunities as a high priority need. This

includes a program to provide microenterprise grants to businesses looking for funding necessary to take their business to the next level. The 2021 Community Development Block Grant (CDBG) Annual Action Plan has \$5,000 allocated towards assistance for entrepreneurial activities with another \$30,000 remaining from previous plan years. According to the US Department of Housing and Urban Development, a microenterprise is a business that has fewer than five employees, one of whom is the owner of the business. The program offers grants of up to \$4,000 for low to moderate income business owners for business property, inventory, necessary fixed assets, marketing and business promotion, or other improvements approved by the Business Development Committee. Applicants are required to submit a business plan and have a counseling session with a local business support organization. Marlee Horton has applied for a Microenterprise Grant to support and enhance her start-up business as an independent salon owner. The business will a salon that offers a variety of services for men and women in a high end, unique environment. Ms. Horton recently secured a small business loan through Mountain BizWorks. The Business Development Committee reviewed the application and recommended approval of the grant in the amount of \$4,000 contingent on the receipt of this additional small business loan. The grant funds will be used for equipment and to assist with marketing costs. Staff recommends City Council's approval of the Microenterprise Grant Agreement with Marlee Horton.

- A B. Approval of a Proclamation for Trisomy 9 Day and Trisomy Awareness Month. **(Exhibit VIII.B.)**
- A C. Approval of a Proclamation for Arbor Day, April 30, 2022. **(Exhibit VIII.C.)**
- PH/A D. Call for a Public Hearing for Consideration of a Voluntary Contiguous Annexation of 8.86 Acres of Property off Startown Road between Short Road and Robinwood Road, PINs 3721-16-94-9674 and 3711-16-94-6567. **(Authorize Public Hearing for March 15, 2022, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building.) (Exhibit VIII.D.)**
- PH E. Call for Public Hearings for Consideration of Rezoning Petition (RZ) 22-02, Rezoning of 47.40 acres of Property located on Section House Road between 34th Street Place NE and Sipe Road from R-1 Residential and R-20 Residential to R-2 Residential, Identified as PIN 3723-08-89-6240; Rezoning Petition (RZ) 22-03 – Rezoning of approximately 19.5 acres of Property located at 4331 and 4405 North Center Street from R-2 Residential to Planned Development (PD), Identified as PIN 3715-18-30-6570; Rezoning Petition (RZ) 22-04, Rezoning of approximately 9 acres of Property located off Startown Road between Short Road and Robinwood Road from R-20 Residential to Planned Development (PD), Identified as PINs 3711-16-94-6567 and 3721-16-94-9674; and Rezoning Petition (RZ) 22-05 – Rezoning of approximately 13.7 acres of Property located near the Southwest Corner of Cloninger Mill Road and 16th Street NE from R-2 Residential to R-3 Residential, Identified as PINs 3714-12-96-0319 and 3714-12-86-6394. **(Authorize Public Hearings for March 15, 2022, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building.)**
- A F. Approval of the Sale of City-Owned Property Located Off 5th Street NE in the Amount of \$25,000 to G & M Rentals. **(Exhibit VIII.F.)**

Staff requests Council's approval of the sale of City-owned property off 5th Street NE, PIN:370312969305. This 1.18-acre parcel was purchased by the City in 1988 for the development of the northern cross-town thoroughfare which is no longer slated for construction. G & M Rentals own two of the adjacent parcels and would like to purchase the City-owned parcel to add to their site. G & M Rentals has approached the City with an offer to purchase the lot. This parcel is no longer slated for development as a portion of the northern cross-town thoroughfare and is landlocked. G & M Rentals has offered \$25,000 for the property. The current tax value is \$9,000. Given the fact that it is landlocked and the original reason for purchasing this lot is no longer viable, selling this lot to G & M Rentals would be beneficial as the City has no plans for future development at this site. The upset bid process will allow any other interested party to bid on the property. Staff recommends

that City Council adopt a resolution accepting the offer from G & M Rentals for the sale of Parcel ID 370312969305 located off 5th Street NE and authorize staff to advertise for upset bids.

A1 G. Budget Revision Number 15. (Exhibit VIII.G.)

1. To appropriate \$3,621 from Library operations towards the Ridgeview Library expansion capital project to cover additional construction services.
2. To appropriate \$11,884 from a Worker's Compensation refund to cover any future Worker's Compensation expenditures.
3. To appropriate \$100 of Community Navigator donations towards Police Department supplies.
4. To appropriate \$12,468 from an insurance claim reimbursement towards Fire Department operations for damage done to Engine 7 on January 30, 2022.

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

- A**
1. Consideration of a Voluntary Non-Contiguous Annexation of 47.40 Acres of Property Located on Section House Road between 34th Street Place NE and Sipe Road, PIN 3723-08-89-6240. – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

Consideration of the voluntary non-contiguous annexation of 47.40 acres of property located on Section House Road between 34th Street Place NE and Sipe Road. This property is identified as PIN 3723-08-89-6240. The Earl Errand Propst Heirs have petitioned for the voluntary non-contiguous annexation of 47.40 acres of property located on Section House Road Between 34th Street Place NE and Sipe Road. The subject property is currently located in both Hickory's ETJ and Catawba County's jurisdiction and zoned R-1 and R-20 residential. The annexation is being requested to gain access to City services. Both current zoning districts permit residential uses at a density of two dwelling units per acre. The subject property is currently vacant; however, the intent is to utilize the property for the construction of a residential subdivision. If annexed, the applicants have requested the property be zoned R-2 residential. If zoned R-2 residential, the property could be developed for single-family detached residences at a rate of four units per acre. Given the property's size, future development could theoretically produce 189 dwelling units. The current tax value of the property is \$296,300. If annexed with its present value, the property would generate additional tax revenues of \$1,859. Upon analysis, staff determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on February 18, 2022.

B. Departmental Reports

- NA**
1. Update on City Walk Arch Collapse – City Manager Warren Wood

- A**
2. Appointments to Boards and Commissions

CITIZENS ADVISORY COMMITTEE

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Small Cities Project Area VACANT

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Differently Abled and is African American or Other Minority (Council Appoints)
VACANT
Differently Abled (Council Appoints) Beth Whicker
(Not Eligible for Reappointment)

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (2)(Council Appoints) Mary Moorer
(Eligible for Reappointment/Does Not Wish to Serve Again)

Mayor Guess nominated William Gardner as At-Large (2) Representative on the
Historic Preservation Commission.

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints) VACANT
(Beth Schauble Resigned 11-10-2021)

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (D. Williams Appoints) VACANT
At-Large (Mayor Appoints) (Harold Humphrey Resigned 11-4-2021) VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 6 (Patton Appoints) (Lona Hedrick Resigned 1-11-2022) VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Youth Council Applicant Review Committee Recommends the Following
Appointments:

Fred T. Foard VACANT
Homeschool VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business
Nature

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3)(6) to consult with the attorneys
regarding the following: (Action on these items, if any, will occur in Open Session)

1. *Approval of Closed Session Minutes of December 7, 2021 - NCGS §143-318.11(a)(1).*
2. *Discussion of a Potential Litigation – NCGS §143-318.11(a)(3).*
3. *Discussion of a Personnel Matter – NCGS §143-318.11(a)(6).*

XV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances, and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**